



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (Large Entity)

TJ
AF

Application Number: 09/709,487

Group Art Unit: 2155

Filed: November 13, 2000

Examiner Name: Bruckart, B.

Applicant: BONEFAS

Attorney Docket Number: 20-570

TITLE: METHOD AND SYSTEM FOR DEPLOYING CONTENT TO WIRELESS DEVICES

Total Number of Pages in this Submission: 105 (35 pages in triplicate)

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

SIR:

Transmitted herewith is:

An Appeal Brief (35 pages in triplicate)

The fee has been calculated and is transmitted as shown below.

Appeal Brief	\$500	500
	TOTAL FEE:	\$500.00

The Commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. 1.16 or any patent application processing fees under 37 C.F.R. 1.17 associated with this communication, or credit any over payment to **Deposit Account No. 50-0687 under Order No. 20-570.**

Respectfully submitted,

William H. Bollman

Reg. No.: 36,457

Attorney for Applicant(s)

Date: December 20, 2006
Manelli Denison & Selter PLLC
2000 M Street, NW Suite 700
Washington, DC 20036-3307
(202) 261-1020



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/709,487
Filed: November 13, 2000
Group Art Unit: 2155
Examiner: Bruckart, Benjamin R.
Attorney Docket No.: 20-570

In re Patent Application of:

BONEFAS

Title: **METHOD AND SYSTEM FOR DEPLOYING CONTENT TO WIRELESS DEVICES**

December 20, 2006

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants submit herewith the following Appeal Brief in triplicate as required by 37 C.F.R. § 41.37(c).

(1) **REAL PARTY IN INTEREST**

The real party in interest is TeleCommunication Systems, Inc.

(2) **RELATED APPEALS AND INTERFERENCES**

The Applicants and their legal representatives and assignee are not aware of any other appeals or interferences that will directly affect or be directly affected by or have a bearing on the Board's decision in the appealing appeal.

12/21/2006 MBERHE 00000164 09709487

01 FC:1402

500.00 0P

(3) STATUS OF THE CLAIMS

Claims 1-90 are pending in this application, with claims 31-55 and 67-85 withdrawn from consideration because of a Restriction Requirement. Claims 1-30, 56-66 and 86-90 stand rejected.

(4) STATUS OF AMENDMENTS

All amendments have been entered by the Examiner. Applicants have not attempted any amendments after the Final Office Action dated June 15, 2006.

(5) SUMMARY OF THE CLAIMED SUBJECT MATTER

A multitude of wireless handsets, personal data assistants (PDAs), and pagers exist that feature microbrowsers for wireless access to the World Wide Web (Web). Wireless Web development standards are emerging from groups such as the Wireless Access Protocol (WAP) Forum. However, these standards have yet to fully permeate the market. Therefore, handset and PDA manufacturers currently support several different protocols and markup languages. The plethora of protocols and languages create a problem for application developers trying to provide content that can be presented, with some consistency, across the widest range of devices.

Applicants' invention overcomes deficiencies in the prior art through use of a controller that interjects communications between devices and a content provider. In particular, the controller provides formatting functions to format data from the device and the content provider to eliminate the device and the content provider from having to tailor their communications to the entity they are communicating with. The formatting is supplemented with session managing capabilities to fully facilitate communications session management between the device and the content provider.

A system for communicating from a device to a controller using different communication schemes is disclosed, as recited by claim 86, comprising a means for sending first data from one or more devices using one or more

transmission formats to a controller at, e.g., Fig. 2, item 20. A means for receiving from the controller a second data using content specific forms for the one or more devices is disclosed at, e.g., page 7, line 18-page 19, line 2. A means for translating the first data by the controller into a standardized format conveyed to a content provider is disclosed at, e.g., page 19, lines 2-4. A means for receiving the second data by the controller from the content provider in the standardized format is disclosed at, e.g., page 19, lines 4-5. A means for transforming by the controller the second data into the content specific forms is disclosed at, e.g., page 19, lines 5-11. A means for session managing to examine data content communicated between the one or more devices and the content provider interface and to identify and return state-based information based on interactions between the one or more devices and the content provider is disclosed at, e.g., page 17, lines 15-22. The state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source is disclosed at, e.g., page 18, lines 4-11.

(6) GROUND S OF REJECTION TO BE REVIEWED ON APPEAL

- (A) Finality of the Office Action issued on June 15, 2006.
- (B) Whether claims 1-30, 56-65 and 86-90 are statutory under 35 USC §101.
- (C) Whether claims 1-6, 8-17, 23-27, 30, 56-66 and 86 are obvious under 35 U.S.C. §103(a) over U.S. Patent No. 6,430,624 to Jamtgaard et al. ("Jamtgaard") in view of U.S. Patent No. 6,877,095 to Allen ("Allen").
- (D) Whether claims 7 and 29 are obvious under 35 U.S.C. §103(a) over Jamtgaard in view of U.S. Patent No. 6,182,116 to Namma et al. ("Namma").
- (E) Whether claims 18-22 are obvious under 35 U.S.C. §103(a) over Jamtgaard in view of Allen, and further in view of U.S. Patent No. 5,899,975 to Nielson ("Nielson").

(F) Whether claim 28 is obvious under 35 U.S.C. §103(a) over Jamtgaard in view of U.S. Patent Publication No. 2002/0010716 to McCartney *et al.* ("McCartney").

(7) **ARGUMENT**

(A) The Office Action dated June 15, 2006 was improperly indicated as being Final.

The Office Action dated June 15, 2006 raised a NEW grounds of rejection not necessitated by any amendments made by Applicants. In particular, the examiner rejected claims 1-30, 56-65 and 86-90 as allegedly being directed toward non-statutory subject matter under 35 U.S.C. 101.

The Examiner cannot issue a NEW grounds of rejection under a Final Office Action that that was not necessitated by changes to the claims made by Applicants and that Applicants have not had an opportunity to respond to under a Non-Final Rejection. Applicants respectfully requested that the Examiner withdraw the Finality of the Office Action to allow Applicants an opportunity to respond to the NEW rejections under a Non-Final Office Action. However, it appears that the Examiner ignored the Applicants' request in the comments of the Advisory Action issued on September 21, 2006.

(B) Claims 1-30, 56-65 and 86-90 are statutory under 35 USC §101.

The Office Action dated June 15, 2006 alleged that "the claimed invention is directed toward non-statutory subject matter because the systems and methods of communicating and translating/transforming data are drawn to software features and the code to run those functions. There is no tangible embodiment for the 'system' or 'methods' in which the invention runs. The lack of hardware embodiment of the invention leaves the invention open to non-statutory subject matter as processes just run on a processor without a tangible result."

The Applicants are not claiming software or code specifically, as alleged by the Examiner, although Applicants' claimed features would most probably rely on software or code in combination with hardware to perform their claimed functions. The vast majority of electronic processing devices that perform a specific function rely on software or code to perform their functions. However, it is that software or code that makes the hardware unique in the ability to perform a unique and novel function. The Examiner broad statement as to the alleged non-statutory status of Applicants' claims because being drawn toward software or code is unsupported by case law or the PTO's most recent guidelines related to software applications. The Examiner has still failed to provide support for the allegation that Applicants' claims are non-statutory.

For Example, claims 1-8 and 87 specify a system for deploying content to devices. The system includes a translator operative to receive data sent from devices and to translate data into a standardized format, a content provider interface operative to receive the data in the standardized format and to provide content data in the standardized format, a transformer operative to receive the content data and to transform the content data into a format for a particular device, and a session manager to examine data content communicated between at least one of the devices and the content provider and to identify and return state-based information based on interactions between the devices and the content provider. Hence, the claimed system is directed to a machine that performs a useful operation, namely receiving data sent from devices and to translate data into a standardized format, to transform the content data into a format for a particular device and to examine data content communicated between at least one of the devices and the content provider and to identify and return state-based information based on interactions between the devices and the content provider. Claim 86 recites a system directed toward a machine that performs a useful operation, namely communicating from a device to a controller using different communication schemes. Thus, claim 86 is statutory for at least the same reasons as claims 1-8 and 87.

It is well settled that “[i]f a claim defines a useful machine or manufacture by identifying the physical structure of the machine or manufacture in terms of its hardware or hardware and software combination, it defines a statutory product.” MPEP §2106.IV.B.2(a) at 2100-14 (Rev. 2, May 2004) (citing *In re Lowry*, 32 USPQ2d 1031, 1034-35 (Fed. Cir. 1994); *In re Warmerdam*, 31 USPQ2d 1754, 1760 (Fed. Cir. 1994). Further: “[a] claim limited to a machine or manufacture, which has a practical application in the technological arts, is statutory. In most cases, a claim to a specific machine or manufacture will have a practical application in the technological arts. MPEP §2106.IV.B.2(a) at 2100-15 (citing *In re Alappat*, 31 USPQ2d 1545, 1557 (Fed. Cir. 1994) (“the claimed invention as a whole is directed to a combination of interrelated elements which combine to form a machine for converting discrete waveform data samples into anti-aliased pixel illumination intensity data to be displayed on a display means. This is not a disembodied mathematical concept which may be characterized as an ‘abstract idea,’ but rather a specific machine to produce a useful, concrete, and tangible result.”)).

Moreover, 35 USC 101 reads that “Whoever invents or discovers any new and useful process, machine....may obtain a patent thereof...”. Claims 9-30 56-66 and 88-90 are respectively directed toward a method of communicating with devices that use different communication schemes, method of communicating from a device to a controller using different communication schemes and a method of transforming data. Claims 9-30 56-66 and 88-90 recite steps that manipulate data to perform their respective recited methods to arrive at a “useful process” and produce a tangible result of manipulation of data. The Examiner is respectfully requested to review the latest guidelines for determining if claims are directed toward statutory subject matter that would reveal that claims 1-30, 56-65 and 86-90 are directed toward statutory subject matter.

Moreover, the Examiner has failed to identify any specific deficiency in the claims. See §MPEP 2106.IV.B at page 2100-11:

If the invention as set forth in the written description is statutory, but the claims define subject matter that is not, the deficiency can be corrected by an appropriate amendment of the claims. In such a case, Office personnel should reject the claims drawn to nonstatutory subject matter under 35 U.S.C. 101, but identify the features of the invention that would render the claimed subject matter statutory if recited in the claim. The Examiner has failed to identify the features of the invention that would render the claimed subject matter statutory.

For these and other reasons, the §101 rejection must be withdrawn.

(C) Claims 1-6, 8-17, 23-27, 30, 56-66 and 86 are not obvious under 35 U.S.C. §102(e) Jamtgaard in view of Allen.

Claims 1-6, 8-17, 23-27, 30, 56-66 and 86 recite a system and method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a type of device originating a request, a hypertext history and a **content provider state maintained for a back-end information source.**

In the Response to Arguments section of the Office Action the Examiner argued that Jamtgaard discloses “state based information by identifying type of device originating the request. Using an ID, that may contain a URL, name/value pair and cookie information so that the system can determine which rule to apply to the data based on the device information” at col. 6, lines 32-54. The Applicants respectfully disagree.

The Examiner acknowledged that Jamtgaard discloses use of an ID that contains a URL name/value pair and cookie information. However, none of Jamtgaard’s ID that contains a URL name/value pair and cookie information in any way allows identification of a type of device originating the request. In fact Jamtgaard fails to even disclose a need to identify a type of device originating the request. As discussed below, Jamtgaard’s invention is directed toward converting information between different information appliances having different

protocols and different browser specifications (see Abstract). Thus, Jamtgaard's invention is dependent upon knowing what protocols to convert between and what browser specification to convert to NOT dependent on state based information comprising a type of device originating the request, as recited by claims 1-6, 8-17, 23-27, 30, 56-66 and 86.

The Examiner argued In the Response to Arguments section of the Office Action dated June 15, 2006 that Allen "teaches at least one of 'a type of a device originating a request, a hypertext history and a content provider state maintained for a back-end information source' because Allen teaches a token or cookie containing the claimed information. The token contains information on the state of the user with the user's unique ID and state as defined by applicant's specification on page 18 (Allen: col. 6, lines 10-19; col. 13, lines 63-col. 14, line 2; lines 31-35)." The Applicants respectfully disagree.

Applicants claimed state information comprises at least one of a type of device originating a request, a hypertext history and a **content provider state** maintained for a back-end information source. The Applicants are unsure of what other limitations are being applied to the claimed features from Applicant's page 18, however a claim should be interpreted in light of the specification disclosure, it is generally considered improper to read limitations contained in the specification into the claims. See *In re Prater*, 415 F.2d 1393, 162 USPQ 541 (CCPA 1969) and *In re Winkhaus*, 527 F.2d 637, 188 USPQ 129 (CCPA 1975), which discuss the premise that one cannot rely on the specification to impart limitations to the claim that are not recited in the claim.

Moreover, the Examiner cites Allen at col. 6, lines 10-19; col. 13, lines 63-col. 14, line 2; lines 31-35 to disclose the recited state based information comprising at least one of a type of device originating a request, a hypertext history and a **content provider state** maintained for a back-end information source. However, a reading of Allen at col. 6, lines 13-14 discloses use of a "token [that] incorporates a representation or a digest of the user's session-state information." Allen fails to even mention state based information comprising at least one of a type of device originating a request, a hypertext history and a

content provider state maintained for a back-end information source, as recited by 1-6, 8-17, 23-27, 30, 56-66 and 86.

The Examiner alleged in the Response to Arguments section of the Office Action dated June 15, 2006 that Allen's "session manager maintains a content provider state for the user to determine whether the user is permitted access to a requested source, such a web page. The state of the user's session are determined based on the identity of the user and the session-state token depicting the client's state with respect with respect to the resource. The back-end information source is the requested web page that the client seeks." However, even if everything that the Examiner alleged that Allen discloses were correct, i.e., that Allen allegedly discloses use of an identity of a user and a session-state token depicting a client's state with respect with respect to a resource, the Examiner has failed to show where Allen discloses reliance on state based information comprising at least one of a type of device originating a request, a hypertext history and a **content provider state maintained for a back-end information source**, as recited by 1-6, 8-17, 23-27, 30, 56-66 and 86.

Moreover, the Applicants are not disputing Allen is performing some type of session management, which Jamtgaard is unrelated to. However, Applicants' claimed features provide a more complete solution to session management relying on state based information comprising at least one of a type of device originating a request, a hypertext history and a **content provider state maintained for a back-end information source**, as recited by 1-6, 8-17, 23-27, 30, 56-66 and 86.

The Examiner argued in the Response to Arguments section of the Office Action in response to Applicants' argument, reiterated below, that Jamtgaard modified by Allen is nonsensical that "It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of receiving, translating, and transforming content as taught by Jamtgaard to include a session manager as taught by Allen in order to improve scalability, speed, efficiency, reliability, and security as taught by Allen at col. 4, lines 49-57." However, the Examiner is taking the text from Allen out of context. Allen at col.

4, lines 56-57 discloses “Storing session-state information at an of the tiers impacts scalability, speed, efficiency, reliability, or security.” However, Allen’s solution to the drawback of “storing session-state information” is to “not store a user’s actual session-state information on any tier in a stateless network.” (see Allen, col. 6, lines 8-10). Thus, is it Allen’s solution to NOT STORE session-state information that arrives at the recited benefits NOT the use of any particular session-state information. Thus, to arrive at the benefit that the Examiner alleges would result from modifying Jamtgaard with the disclosure of Allen, Jamtgaard would have to be modified to NOT STORE session-state information NOT to be modified with any particular type of information.

Moreover, the motivation that the Examiner is relying on to modify Jamtgaard is an alleged benefit that Allen discloses for use of such information, which is incorrect as discussed above. However, even if the benefit from Allen that the Examiner relied on were true, that benefit would be a result of Allen’s **ENTIRE DISCLOSURE** not simply use of state based information comprising the claimed features. Thus, the Examiner has failed to show how simply modifying Jatgaard with the acknowledged deficiency, i.e., state based information comprising at least one of a type of device originating a request, a hypertext history and a content provider state maintained for a back-end information source, would result in the alleged benefit the leads to the alleged motivation to modify Jamtgaard.

Moreover, Jamtgaard’s invention is directed toward converting information between different information appliances having different protocols and different browser specifications (see Abstract). Jamtgaard’s invention is unrelated to session management. Thus, modifying Jamtgaard with stated based information comprising comprising at least one of a type of device originating a request, a hypertext history and a content provider state maintained for a back-end information source, even if Allen disclosed such information, would not benefit Jamtgaard’s converting information between different information appliances having different protocols and different browser specifications. Hence, since the proposed modification or combination would

change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. MPEP § 2143.01, page 2100-132 (Rev. 2, May 2004) (citing *In re Ratti*, 123 USPQ 349 (CCPA 1959)).

Moreover, the Examiner failed to acknowledge, much less address, Applicants' argument of the **nonsensical** nature of modifying Jamtgaard with Allen in the Response to Arguments section of the Office Action dated June 15, 2006. As previously pointed out to the Examiner, Jamtgaard's invention is directed toward a translation server that includes a virtual browser for executing web content that an information appliance cannot execute (See at col. 5, lines 27-53). Allen's invention is directed toward sending tokens to a user on a client of a server. However, it is Jamtgaard's translation server that is performing browser functions. Modifying Jamtgaard to send a token to a user on a client of a server would be **nonsensical** since the token would need to be used by the translation server that executes a virtual browser. The Examiner has failed to refute that sending a token to a device that could not use the information included in the token is **nonsensical**.

Thus, Jamtgaard modified by the disclosure of Allen would still fail to disclose or suggest a system and method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a type of device originating a request, a hypertext history and a **content provider state maintained for a back-end information source**, as recited by claims 1-6, 8-17, 23-27, 30, 56-66 and 86.

A benefit of examining data content communicated between a device and a content provider and to identify and return state-based information comprising at least one of a type of device originating a request, a hypertext history and a **content provider state maintained for a back-end information source** is, e.g., allowing more accurate tracking of a session for processing. Returning at least one of a hypertext history and a content provider state allows a

device that normally lacks such features with a particular application to have full access to features that are related to a hypertext history and a content provider state. The cited prior art fails to disclose or suggest the claimed features having such benefits.

It is respectfully submitted that not only does this rejection fail on its face, and thus is improper, but also in light of the above comments its clear that Jamtgaard in view of Allen does not render obvious any of claims 1-6, 8-17, 23-27, 30, 56-66 and 86. Thus, the rejection of claims 1-6, 8-17, 23-27, 30, 56-66 and 86 under 35 U.S.C. § 103(a) is improper and should be reversed.

(D) Claims 7 and 29 are not obvious under 35 U.S.C. §103(a) over Jamtgaard in view of Namma.

Claims 7 and 29 recite a system and method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source.

As discussed above, Jamtgaard in view of Allen fails to disclose or suggest a system and method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source, as recited by claims 7 and 29.

Namma is relied on to disclose sending data to more than one content provider (See Office Action, page 12). However, Namma fails to disclose anything related to session managing, much less disclose or suggest a system and method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider,

the state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source, as recited by claims 7 and 29.

It is respectfully submitted that not only does this rejection fail on its face, and thus is improper, but also in light of the above comments its clear that Jamtgaard in view of Allen does not render obvious any of claims 7 and 29. Thus, the rejection of claims 7 and 29 under 35 U.S.C. § 103(a) is improper and should be reversed.

(E) Claims 18-22 are not obvious under 35 U.S.C. §103(a) over Jamtgaard in view of Allen and Nielson.

Claims 18-22 recite method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source.

As discussed above, Jamtgaard in view of Allen fails to disclose or suggest a system and method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source, as recited by claims 18 and 22.

The Office Action relies on Nielson to allegedly make up for the deficiencies in Jamtgaard in view of Allen to arrive at the claimed invention. The Applicants respectfully disagree.

Nielson is relied on to disclose two style sheets that are selected and applied independently to a second data at Nielson, col. 7, lines 31-36, and the capabilities of style sheets adding additional functionality and a much more

pleasing and semantically consistent presentation for a user at col. 1, lines 54-57 and col. 8, lines 28-29 (See Office Action dated June 15, 2006, page 13).

Nielson appears to disclose using a style sheet for the generating audio information generated by a voice synthesizer from text (Abstract). Applicants' style sheet is related to control a translator and/or transformer in a communication path between a client and a content provider. Thus, Jamtgaard modified by Nielson would result in Jamtgaard using a style sheet to control the sound produced by audio information by a voice synthesizer, which is **nonsensical** since Jamtgaard fails to even disclose use of a voice synthesizer.

Moreover, Nielson fails to disclose session managing a session between a device and a content provider. Thus, Jamtgaard modified by the disclosures of Allen and Nielson would still fail to disclose, teach or suggest a method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a hypertext history and a **content provider state** maintained for a back-end information source, as recited by claims 18-22.

It is respectfully submitted that not only does this rejection fail on its face, and thus is improper, but also in light of the above comments its clear that Jamtgaard in view of Allen and Nielson does not render obvious any of claims 18-22. Thus, the rejection of claims 18-22 under 35 U.S.C. § 103(a) is improper and should be reversed.

(F) Claim 28 is not obvious under 35 U.S.C. §103(a) over Jamtgaard in view of Allen and McCartney.

Claim 28 recites a method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of

a hypertext history and a content provider state maintained for a back-end information source.

McCartney is relied on to disclose querying a provider database, receiving a previously registered XSL style sheet associated with a new content provider from a provider database, and optimizing a web site for clients having different capabilities (See Office Action dated June 15, 2006, page 14).

McCartney discloses a system and method that generates web pages optimized for a client's capabilities, such as browser type, browser version, available transfer rate, display capabilities, and terminal device capabilities (Abstract). A server generates the web pages optimized for the client's capabilities (McCartney, Figs. 2 and 3).

McCartney discloses creation of original content web pages optimized for a client's capabilities, **NOT** session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, much less disclose or suggest state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source, as recited by claim 28.

Thus, Jamtgaard modified by the disclosures of Allen and McCartney would STILL fail to disclose, teach or suggest a system and method of session managing to examine data content communicated between a device and a content provider and to identify and return state-based information based on interactions between the devices and said content provider, the state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source, as recited by claim 28.

It is respectfully submitted that not only does this rejection fail on its face, and thus is improper, but also in light of the above comments its clear that Jamtgaard in view of Allen and McCartney does not render obvious claim 28. Thus, the rejection of claim 28 under 35 U.S.C. § 103(a) is improper and should be reversed.

CONCLUSION

For all the reasons set forth above, the rejections of claims 1-30, 56-66 and 86-90 are improper and should be reversed. The Applicants therefore respectfully request that this Appeal be granted and that the rejections of the claims be reversed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

William H. Bollman
Reg. No.: 36,457

MANELLI DENISON & SELTER PLLC
2000 M Street, N.W. 7th Floor
Washington D.C. 20036-3307
Tel. (202) 261-1020
Fax. (202) 887-0336
WHB/df

CLAIMS APPENDIX

CLAIMS INVOLVED IN THE APPEAL

1. A system for deploying content to devices, comprising:
 - a translator operative to receive data sent from devices and to translate said data into a standardized format;
 - a content provider interface operative to receive said data in said standardized format and to provide content data in said standardized format;
 - a transformer operative to receive said content data and to transform said content data into a format for a particular device; and
 - a session manager to examine data content communicated between at least one of said devices and said content provider and to identify and return state-based information based on interactions between said devices and said content provider, said state based information comprising at least one of a type of device originating a request, a hypertext history and a content provider state maintained for a back-end information source.
2. The system according to claim 1, wherein:
 - said standardized format is an XML message.
3. The system according to claim 1, wherein:
 - said transformer is operative to select a transformation based on a pre-selected format and to transform said content data using said selected transformation.
4. The system according to claim 3, wherein:
 - said transformation is selected from a group of XSL style sheets.

5. The system according to claim 3, wherein:
said transformer is operative to select a plurality of transforms and to apply said plurality of transforms in at least one of sequentially and independently, to transform said content data.

6. The system according to claim 1, further comprising:
an extractor operative to access session information about a browser of said particular device.

7. The system according to claim 1, further comprising:
a composer operative to generate a combined response to said particular device from a plurality of responses received to a plurality of requests provided to a plurality of content providers.

8. The system according to claim 1, wherein:
said devices are wireless devices.

9. A method of communicating with devices that use different communication schemes, comprising:

- receiving first data from one or more devices;
- translating said first data into a standardized format;
- providing said translated data to a content provider interface;
- receiving second data response from said content provider interface in said standardized format;
- transforming said second data into content type specific forms for said one or more devices;
- forwarding said transformed second data to said one or more devices; and
- session managing to examine data content communicated between said one or more devices and said content provider interface and to identify and return state-based information based on interactions between said one or more devices and said content provider, said state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source.

10. The method according to claim 9, further comprising:
extracting information about said device from said first data.

11. The method according to claim 10, wherein:
said extracted information includes device specific features.

12. The method according to claim 10, wherein said transforming step comprises:

- selecting an XSL style sheet based on said extracted information;
- and
- using said selected XSL style sheet to transform said second data.

13. The method according to claim 10, wherein:
said extracted information includes information about a browser.
14. The method according to claim 10, wherein:
said extracted information includes a message key.
15. The method according to claim 14, further comprising:
selecting said content provider interface based on said message
key.
16. The method according to claim 14, wherein said message
key includes at least one of:
a vertical market;
an action;
an action type; and
a content provider identifier (ID).
17. The method according to claim 16, wherein:
said vertical market is a brokerage market, said action is a quote,
said action type is at least one of a request and a response, and said content
provider ID corresponds to a particular brokerage.
18. The method according to claim 12, wherein:
at least two style sheets are selected and applied independently to
said second data.
19. The method according to claim 12, wherein:
at least two style sheets are selected and applied to transform said
second data.
20. The method according to claim 19, wherein:
said style sheets are applied sequentially.

21. The method according to claim 19, wherein:
an order of applying said style sheets is pre-selected.
22. The method according to claim 19, wherein:
at least three style sheets are applied both independently and sequentially.
23. The method according to claim 9, wherein:
said first data is a request.
24. The method according to claim 23, wherein:
said request is an hyper-text transfer protocol (HTTP) request.
25. The method according to claim 9, wherein:
said second data is a response.
26. The method according to claim 9, wherein:
said standardized format of said second data is an XML message format.
27. The method according to claim 9, wherein:
said content provider is a third party.
28. The method according to claim 9, further comprising:
querying a provider database if said content provider is a new content provider; and
receiving a previously registered XSL style sheet associated with said new content provider from said provider database.

29. The method according to claim 9, wherein:
said providing step includes providing said translated data to more than one of said content providers, and further comprising: composing a combined set using said second data of said more than one content providers.

30. The method according to claim 9, wherein:
said device is a wireless device.

31. (withdrawn) A method for spontaneously sending data to a device, comprising:

sending data and an identifier (ID) to a transformer;
looking up the ID in a database to associate it with a device;
selecting a style sheet based on the device;
transforming the data using the selected style sheet into transformed data; and
forwarding the transformed data to the device.

32. (withdrawn) The method according to claim 31, wherein the ID includes at least one of. a device ID;

a user ID;
a client ID; and a customer ID.

33. (withdrawn) The method according to claim 31, wherein the database includes information about a browser.

34. (withdrawn) The method according to claim 31, wherein the data includes information about a message key.

35. (withdrawn) The method according to claim 31, wherein the message key includes at least one of

- a vertical market; an action;
- an action type; and
- a content provider identifier (ID).

36. (withdrawn) The method according to claim 35, wherein the vertical market is a brokerage market, the action is a threshold alert, the action type is a push, and the content provider ID corresponds to a particular brokerage.

37. (withdrawn) The method according to claim 33, wherein at least two style sheets are selected and applied to transform the data.

38. (withdrawn) The method according to claim 32, wherein the style sheets are applied at least one of: sequentially, independently and a combination of both.

39. (withdrawn) The method according to claim 32, wherein an order of applying the style sheets is pre-selected.

40. (withdrawn) The method according to claim 38 wherein the independent application is simultaneous.

41. (withdrawn) The method according to claim 32, wherein the content provider is a third party service.

42. (withdrawn) The method according to claim 32, further comprising:

querying a provider database if the content provider is a new content provider; and

receiving a previously registered XSL style sheet associated with said new content provider from the provider database.

43. (withdrawn) The method according to claim 32, wherein said device is a wireless device.

44. (withdrawn) A method for deploying markup content to browser applications comprising the following steps:

accepting inbound data;

transforming said inbound data into XML messages; selecting a content provider interface;

forwarding said XML messages to the selected content provider interface;

receiving an XML message response from the content provider interface;

selecting at least one XSL style sheet from a group of XSL style sheets;

transforming said XML message response into outbound data using said at least one selected XSL style sheet; and

forwarding said outbound data to the browser application.

45. (withdrawn) The method according to claim 44, further comprising: extracting session information from said inbound request.

46. (withdrawn) The method according to claim 44, further comprising: transmitting said XML messages to a content provider.

47. (withdrawn) The method according to claim 44, wherein said selecting step comprises: selecting said content provider interface from a group of content provider interfaces based on a unique message key.

48. (withdrawn) A method for deploying markup content to browser applications on devices, comprising:

- accepting requests from devices;
- processing said requests as synchronous messages via a block and wait mechanism;
- retrieving information related to at least one of form data, session data, MIME data, and a message key in order to generate an XML stream;
- parsing said XML stream into an XML message;
- determining all content provider interfaces that can handle said XML message based on said message key;
- selecting a content provider interface to process said XML message;
- forwarding said XML message to said selected content provider interface;
- receiving a response from said selected content provider interface;
- selecting one or more XSL style sheets;
- transforming said response into one or more forms using said selected XSL style sheets; and
- forwarding said transformed response to said devices.

49. (withdrawn) The method according to claim 48, further comprising the steps of:

- creating a DOM; and
- setting a runtime parameter to validate XML against a document type definition (DTD).

50. (withdrawn) The method according to claim 48, wherein said device is a wireless device.

51. (withdrawn) The method according to claim 48 wherein at least two XSL style sheets are selected and further comprising applying the style sheets at least one of sequentially and independently.

52. (withdrawn) The method according to claim 51 wherein the independent application is done simultaneously.

53. (withdrawn) The method according to claim 51 wherein an order of applying the XSL style sheets is pre-selected.

54. (withdrawn) The method according to claim 48 wherein at least three XSL style sheets are selected and applying the style sheets at least one of sequentially, independently, and a combination of both.

55. (withdrawn) The method according to claim 54 wherein the independent application is done simultaneously.

56. A method of communicating from a device to a controller using different communication schemes, comprising:

 sending first data from one or more devices using one or more transmission formats to a controller;

 receiving from said controller second data using content specific forms for said one or more devices, wherein said first data is translated by said controller into a standardized format and conveyed to a content provider;

 receiving said second data by said controller from said content provider in said standardized format;

 transforming by said controller said second data into said content specific forms; and

 session managing to examine data content communicated between said one or more devices and said content provider interface and to identify and return state-based information based on interactions between said one or more devices and said content provider, said state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source.

57. A method of transforming data, comprising:

 receiving a message;

 extracting information from said message;

 selecting transformation specifications based on said extracted information;

 session managing to examine data content within said message and to identify and return state-based information based on interactions between one or more devices and a content provider, said state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source; and

 applying said selected transformation specifications and said state-based information to said data.

58. The method of claim 57, further comprising:
retrieving said transformation specifications from a database.

59. The method of claim 57, further comprising:
cross-referencing said transformation specifications in said
database to said extracted information.

60. The method of claim 57, wherein:
said message includes a message key.

61. The method according to claim 60 wherein said message
key includes at least one of:
a vertical market;
an action;
an action type; and
a content provider identifier (ID).

62. The method of claim 57, wherein said message comprises:
session information including at least one of a user agent and a
device type.

63. The method of claim 57, wherein:
said transformation specifications are specified as XSL style
sheets.

64. The method of claim 63, wherein:
a single XSL style sheet is selected.

65. The method of claim 63, wherein:
multiple XSL style sheets are selected.

66. The method of claim 57, wherein:
said message is an XML message.

67. (withdrawn) A method for applying multiple transformations to data, comprising:

selecting a plurality of transformation specifications based on information about the data; and

sequentially applying the transformation specifications to the data.

68. (withdrawn) The method of claim 67, wherein a result of each interim transformation is wellformed XML.

69. (withdrawn) The method of claim 67, wherein an order of applying the transformation specifications is pre-selected.

70. (withdrawn) The method of claim 67, wherein the data is an XML message.

71. (withdrawn) The method of claim 67, wherein the transformation specification is an XSL style sheet.

72. (withdrawn) A method for applying multiple transformations to data, comprising:

selecting plurality of transformation specifications based on information about the data; and

independently applying the transformation specifications to the data, resulting in more than one output.

73. (withdrawn) The method of claim 72, further comprising applying another transformation specification either before or after the independent application of the plurality of transformation specifications.

74. (withdrawn) The method of claim 72 wherein the independent application is simultaneous.

75. (withdrawn) In a content delivery system including a translator receiving data sent from devices and translating the data into a message, a method for converting the data into the message, the method comprising:

creating Java bindings for each message in a document type definition; wrapping the java bindings in a class; and
calling a method on the class to create the message.

76. (withdrawn) The method of claim 75, wherein the message is an XML message.

77. (withdrawn) A method of converting an HTTP request into a message, comprising:

receiving the HTTP request;
extracting form variables needed for the message from the HTTP request;
forming the message including the extracted form variables.

78. (withdrawn) The method of claim 77 wherein the HTTP request includes a message key.

79. (withdrawn) The method of claim 78, further comprising:
determining an action from the message key; and determining the form variables associated with the action.

80. (withdrawn) The method of claim 77 wherein the message is an XML message.

81. (withdrawn) The method of claim 80 wherein XSL style sheets transform the form variables from the XML message.

82. (withdrawn) The method of claim 81 wherein the XSL is registered in a database.

83. (withdrawn) A system for converting HTTP requests into a standard message format, comprising:

a message controller receiving the HTTP request; and

a request transformer to parse form variables out of the HTTP request to generate an XML stream.

84. (withdrawn) The system of claim 83, further comprising:

at least one database;

an XML transformer to parse the XML stream into an output stream and to transform the XML stream using XSL transforms by retrieving information from the at least one database based on specifications in the HTTP request.

85. (withdrawn) The system of claim 84 wherein the XSL transforms are registered in the database.

86. A system for communicating from a device to a controller using different communication schemes, comprising:

means for sending first data from one or more devices using one or more transmission formats to a controller;

means for receiving from said controller second data using content specific forms for said one or more devices;

means for translating said first data by said controller into a standardized format conveyed to a content provider;

means for receiving said second data by said controller from said content provider in said standardized format;

means for transforming by said controller said second data into said content specific forms; and

means for session managing to examine data content communicated between said one or more devices and said content provider interface and to identify and return state-based information based on interactions between said one or more devices and said content provider, said state based information comprising at least one of a hypertext history and a content provider state maintained for a back-end information source.

87. The system according to claim 1, wherein:

said content provider state comprises a session token that said content provider needs to perform transactions on behalf of said devices

88. The method according to claim 9, wherein:

said content provider state comprises a session token that said content provider needs to perform transactions on behalf of said devices

89. The method of claim 57, wherein:

said content provider state comprises a session token that said content provider needs to perform transactions on behalf of said devices

90. The system according to claim 56, wherein:

said content provider state comprises a session token that said content provider needs to perform transactions on behalf of said devices

EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDIX

None